

Chapter 6 Cabarets

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Section 6-1. Definitions.

"Cabaret" shall mean duly licensed restaurants which permit their patrons to dance and restaurants, taverns or premises which entertain their patrons with live performers who sing or dance or which permit their patrons to dance shall be deemed to be "cabarets" and such places shall be subjected to the cabaret licensing provision as hereinafter provided.
(Ordinance number 68-1-3.)

Section 6-2. Cabaret License required – fee.

No cabaret, as herein defined, shall open for business or permit any of the activities associated with a cabaret, without first obtaining a license, as herein provided, from the City. The license fee required for a cabaret license shall be \$10.00 per day or \$100.00 per year, in addition to any other required license fees. In addition, no activity permitted by this chapter shall be conducted until such time as the Grantsville City Police Department is provided five days advance, written notice of the proposed cabaret activity. Such notice shall indicate the name and address of the business proposing a cabaret activity. Said notice shall also include the date or dates of the proposed activity, the specific areas within the business premises that will be used for such activity and an estimate of the number of patrons that will attend. *

(*Amended 8-17-88 by Ordinance 88-8)

Section 6-3. Premises to comply with health and fire regulations, etc; ventilation; toilets; display of license.

No license shall be issued pursuant to this ordinance until it shall be found that the place for which hit is issued complies with and conforms to all laws, ordinances and health and fire regulations applicable thereto and is properly ventilated and has available sufficient and separate toilet conveniences for each sex, and is a safe and proper place for the purposes for which it shall be used. Every person to whom a license is issued under this ordinance shall post the same in a conspicuous place on the premises covered by such license. (Ordinance number 68-1-5.)

Section 6-4. Investigation and recommendation by police; licensing authority.

The police department shall examine and investigate all applicants for licenses and the premises to be licensed under this chapter. Following such examination, the recommendations of the police department shall be made in writing to the council. The council shall be the licensing authority for cabarets. Cross reference; (5-19 Ordinance number 68-1.)

Section 6-5. License requirements.

Applicants for such license shall file applications in writing with the City Recorder together with the fees as herein provided. Such application shall be referred to the board of Health by the City Recorder, which Board shall within five (5) days after such reference return said application to the City Council together with the report of its findings and its recommendations as to the granting or denying of said license. (Ordinance number 68-1-6.)

Section 6-6. Expiration of license.

All licenses issued under this chapter shall be issued for a period not to exceed one year and all licenses shall expire on the thirty-first day of December of each year.

Section 6-7. Access by police department; inspections and reports.

The police department shall be permitted to have access to all premises licensed. It shall be unlawful to lock the rear door of the premises during the hours that such premises are open to the public so that the police department, operating in compliance with the provision of this chapter, may have immediate entry to the premises or establishment license hereunder and may do so without delay. The police department shall make periodic inspections of the premises and report its findings to the council. Cross reference; (5-19 Ordinance number 68-1.)

Section 6-8. Suspension or revocation of license.

All suspension or revocation of licenses hereunder shall be for the period of not less than one year and all revocations hereunder shall not be renewable to the persons involved. Any license issued pursuant to this chapter may, after a hearing, be suspended or revoked for the violation of any provision of this chapter or any other ordinance of any other law relating to such places. The council shall hear and determine all suspension and revocation matters.

Section 6-9. Operating after license denied or revoked.

If at any time, a license under the provision of this chapter is denied or revoked, it shall thereafter be unlawful for any person to operate, open, maintain, manage or conduct any such business at the same premises until a new license shall be granted by the council.

Section 6-10. Minor to be accompanied by parent or guardian; misrepresentation to secure admissions to secure admission of minor.

It shall be unlawful to permit any person who has not reached the age of twenty-one years to attend or remain at any cabaret where beer is sold or served, or cabaret which is licensed to sell beer, unless such person be accompanied by the parent or legal guardian of such person. It shall be unlawful for any person to misrepresent his age for the purpose of gaining admission to public dance or cabaret or falsely to represent himself to be a parent or legal guardian of any person in order that such person may attend or remain at any public dance or cabaret.

Section 6-11. Beer licenses.

If a license desires to operate as herein provided, he shall first obtain an appropriate retail beer license and conform to the provisions of the ordinances of the city concerned with the sale of beer. (Cross reference-11 Ordinance 68-1).

Section 6-12. Sale or consumption of beer by minor.

The sale or consumption of beer by any person under the age of twenty-one years is expressly prohibited hereunder.

Section 6-13. Separation of dance area and seating area.

The dance area in a licensed cabaret must be separated from the seating area by a minimum aisle or areaway of three feet.

Section 6-14. Lighting; view of booth, etc.

Premises licensed pursuant to this chapter shall maintain throughout such premises, during business hours, a minimum of two-candle power light measured at a level of five feet above the floor. No booth, blind or stall shall be maintained unless all tables, chair and occupants, if any therein, are kept open to full view from the main floor at the entrance of such licensed premises.

Section 6-15. Access to rest rooms.

Access to rest rooms must be by an aisle or areaway of at least three feet in width and in no event shall a cabaret license be issued if it is necessary to cross directly over the dance area to have access to rest rooms. (Ordinance number 68-1-8).

Section 6-16. aisle or areaway between bar and dance area.

If the dance area is adjacent to or in front of a bar where beer or food is served or consumed, there must be a minimum aisle or areaway of five feet between the bar and the dance area. (Ordinance number 68-1-9).

Section 6-17. Entertainers.

Impromptu audience performers or itinerant walk-in guitar players or entertainers are prohibited. It shall be unlawful to furnish live entertainment for patron of restaurants on premises herein, unless the premises are licensed as a cabaret. (Ordinance number 68-1-10 and 68-1-11).

Section 6-18. Minimum size of dancing area.

No cabaret license shall be granted unless the premises to be licensed thereunder shall contain at least three hundred square feet of suitable dancing area.

Section 6-19. Parking space.

No cabaret licenses shall be granted unless there is provided on the premises parking space sufficient to park one automobile for each two patrons for which accommodations are provided on the premises, which total area shall be determined by the maximum seating capacity of the establishment.

Section 6-20. Distance from School, church, park or recreation center.

No premises shall be licensed hereunder which are located within a distance of less than three hundred feet from any public school, church, public parks or recreations centers. Cross reference (7-11 Ordinance number 68-1).

Section 6-21. Disreputable conduct prohibited.

It shall be unlawful for any person to whom a license under this chapter has been issued to allow or permit on the licensed premises any indecent act to be committed or any conduct of a gross, violent or vulgar character, or to permit prostitutes, pimps or procurers to enter and remain on said premises. (Ordinance number 68-1-7).

Section 6-22. Compliance with chapter.

All cabaret licenses, whether original applications or renewal applicants, must comply with all applicable provisions of this chapter.

Section 6-23. Penalty.

Any person found guilty of the violation of any provision of this ordinance shall be deemed guilty of a misdemeanor. (Ordinance number 68-1-13).

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